SERVICE MATTER

Single Bench

(4)

CF 1202

IN THE HIGH COURT OF JUDICATURE AT BILASPUR (C.G.)

WRIT PETITION(S) NO. 4879 /2006.

PETITIONER

Paras Ram Patel son of late Shri Chheduram Patel aged about 33 years, presently working as Watchman (Chowkidar) (Collector Rate), World Grain Godown, Katghora Forest Division, Forest Department District Korba (C.G.)

P.H. No. 4906/06 Presented by Shri Sameer RS Dated 4/9/06

VERSUS

RESPONDENTS

1. The State of Chhattisgarh, Through it's Secretary, Forest Department, D.K.S. Building Raipur (C.G.)
2. The Chief Conservator of Forest, Arranya Bhavan, Raipur (C.G.)
3. Divisional Forest Officer, Katghora Forest Division, Katghora Distt.Korba (C.G.).
4. Conservator of Forest, Bilaspur Circle District Bilaspur (C.G.).

RECEIVED-COPY 4/9/06 CLERK to A. G. BILASPUR

H. COMMISSIONER APARNA MALVIYA 20/9/06 Bilaspur Chhattisgarh

PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT, ORDER AND DIRECTIONS Etc.

The petitioner, named above, most humbly and respectfully begs to submit as under :

(37)

HIGH COURT OF JUDICATURE CHHATTISGARH: BILASPUR

Single Bench: Hon'ble Shri Satish K. Agnihotri, J.

W. P. (S) No. 4879 of 2006

Petitioner : Paras Ram Patel

Versus

Respondent : The State of Chhattisgarh and others

Shri Sameer Behar, Advocate for the petitioner.

Shri Sushil Dubey, Govt. Advocate for the respondents.

ORDER

(6th September, 2006)

1. Learned counsel for the petitioner submits that the petitioner was appointed on 28.11.1994 as daily-wager and his engagement is continuing.
2. The petitioner has filed this petition praying for a relief of regularization of his service. The case of the petitioner is that he was appointed as daily wager vide order dated 28.11.1994 (Annexure P/2) on compassionate ground, though as per the circular of the State Government dated 10th June, 1994 (Annexure P/5) containing instructions for providing appointment on compassionate ground, the petitioner ought to have been appointed on regular pay scale.
3. Learned counsel for the petitioner further submits that the petitioner may be allowed liberty to make a detailed representation to the concerned authority for redressal of his grievance and the concerned authority may be directed to consider and decide the representation within stipulated period, to which learned counsel for the respondents has no objection.
4. Having heard learned counsel for the parties, having regard to the facts and circumstances of the case and without expressing any opinion on merits of the case, the request made by learned counsel for the petitioner is just, fair and reasonable. Therefore, the petitioner is allowed to make a detailed representation, raising all his grievances annexing a copy of the writ petition and its annexures to the concerned authority within a period of ten days from today and

(38)

the concerned authority is directed to decide the representation within one month from the date of its receipt after considering the points raised by the petitioner, in an objective manner, on its own merits, in accordance with law.

5. With the directions aforesaid, the petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge

Thakur